

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:13-cr-00258-RJC

USA

vs.

DERWIN DURHAM (1)

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ORDER

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**THIS MATTER** is before the Court upon motion of the defendant, pro se, again requesting that the Court reduce his sentence. (Doc. Nos. 398, 399).<sup>1</sup>

The defendant states that he has been a model inmate, is 62 years old, and has changed his life for the better. The circumstances noted by the defendant are not grounds for a reduction by this Court, which has limited authority to alter a sentence once it is imposed. 18 U.S.C. § 3582(c); Fed. R. Crim. P. 35. Clemency is a matter for the President to grant. See Cavazos v. Smith, 132 S. Ct. 2, 7 (2011) (clemency is “a prerogative granted to executive authorities to help ensure that justice is tempered by mercy.”).

**IT IS, THEREFORE, ORDERED** that the defendant’s motion, (Doc. Nos. 398, 399), is **DENIED**.

Signed: October 10, 2019



Robert J. Conrad, Jr.  
United States District Judge



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<sup>1</sup> It appears that the same letter was docketed twice.